



PATENT  
Attorney Docket No. INK-069

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Albert et al. CONFIRMATION NO.: 2022  
SERIAL NUMBER: 09/413,444 GROUP NUMBER: 2873  
FILING DATE: October 6, 1999 EXAMINER: Thompson, Timothy  
TITLE: Microencapsulated Electrophoretic Displays Having a Monolayer of Capsules and Materials and Methods for Making the Same

**Terminal Disclaimer**

I, David J. Cole, state that I am a representative authorized to sign on behalf of E Ink Corporation, identified below as the assignee of the entire right, title and interest in and to the above-identified patent application, U.S. Serial No. 09/413,444. I have reviewed all the evidentiary documents accompanying or referred to in the instant Terminal Disclaimer and certify that, to the best of my knowledge and belief, title to the above-identified application is in the name of E Ink Corporation.

E Ink Corporation, having a usual place of business at 733 Concord Avenue, Cambridge Massachusetts 02138, is the assignee of the entire right, title and interest in and to the above-identified application, 09/413,444, by virtue of the Assignment recorded in the United States Patent and Trademark Office at Reel 010576, Frame 0560, on February 1, 2000, by the inventors in this application to E Ink Corporation.

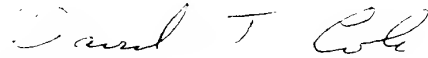
E Ink Corporation hereby waives and disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the full statutory term (which may be longer than seventeen (17) years) of U.S. Patent Nos. 6,172,798 filed on May 15, 2000, and 6,445,374 filed on March 12, 2001, and any patent issuing from U.S. Serial No. 10/058,444 filed on January 28, 2002, and hereby agrees that any patent so granted on U.S. Serial No. 09/413,444 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent Nos. 6,172,798 and 6,445,374, and any patent issuing from U.S. Serial No. 10/058,444, this agreement to run with any patent granted on the U.S. Serial No. 09/413,444 and to be binding upon E Ink Corporation, its successors or assigns.

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E Ink Corporation does not disclaim any terminal part of the term of patent granted on the above-identified application U.S. Serial No. 09/413,444 prior to the expiration date of the full statutory term of U.S. Patent Nos. 6,172,798 and 6,445,374, and any patent issuing from U.S. Serial No. 10/058,444, in the event that any of said patents expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole, or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a re-examination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, if any, except for the separation of legal title stated above.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made in the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

E Ink Corporation



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David J. Cole  
Intellectual Property Counsel

Date: October 21, 2003